

## **RESPONSE**

### **I. Status of the Claims**

Prior to the *Ex parte Quayle* Action, claims 40, 43-46, 52-64, 69, 70, 72, 74-76 and 78 were pending, have been examined and are allowed. Presently, no claims have been amended, canceled or added.

### **II. Amendment to the Specification**

An amendment has been made to the specification to claim the present application as a continuation-in-part of parent application Serial No. 08/479,722 ("the '722 application). The amendment complies with the revisions to 37 C.F.R. § 1.121(c).

### **III. Applicants' Interview Summaries**

A series of telephone interviews were held for the present application, the main two being held June 12, 2003. The interview summary from the Office was sent via facsimile on June 17, 2003 and by mail on June 18, 2003. Applicants essentially agree with the interview summary from the Office. In addition, the following comments are provided.

In the telephone interviews held June 12, 2003, the Office assured Applicants that the present application had been searched and examined based on a June 12, 2000 priority date and that all claims were free of the art. As stated in the interview summary from the Office, Applicants particularly drew attention to Yin *et al.*, *J. Biol. Chem.*, 270(17):10147-10160, 1995, an article published on behalf of the present inventors concerning the cloning of LTBP-3 and already of record in the application (submitted in Applicants' IDS and cited in the first Office Action under 35 U.S.C. § 112, first paragraph). The Office affirmatively stated that all claims were patentable over Yin. Applicants noted that the Examiner's Statement on Reasons for Allowance would later comment on the patentability over Yin, and the Office agreed.

#### IV. Conclusion

This is a complete response to the *Ex parte Quayle* Action. In conclusion, Applicants submit that the present case is in condition for allowance and such favorable action is respectfully requested. Should Examiner Romeo have any further questions or comments, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,  
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